

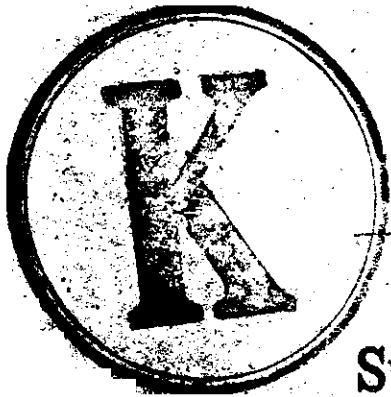
1951

B S. S. C/51
File No. (Reg)

Legal Department

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BRANCH



Subject:— Bom. Reg. II of 1951

A Regulation for the application
of the Bombay Secondary School
Certificate^e Examination Act,
1948, to certain scheduled Areas
in the State of Bombay.

File No. B. S. S. C/51 (Regulation)

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Legal Department.

It appears that the Bombay Secondary School Certificate Examination Act, 1948, passed in 1948, was not applied to the partially excluded areas in the Province under section 92(1) of the Government of India Act, 1935. The proposal is to apply the said Act to these areas, now known as the Scheduled Areas, under para & 5(2) of the Fifth Schedule to the Constitution.

2. Under the provisions of the West Khandesh Mehwasai Estates Regulation Act, 1949, and the Bombay Merged States (Laws) Act, 1950, read with para. 5(1) of the Fifth Schedule to the Constitution, the Bombay Secondary School Certificate Examination Act already applied to and has come into force in the villages belonging to the Mehwasai Chiefs in the West Khandesh District and in the Scheduled Areas situated in the territories which formerly formed part of the merged States. The question, therefore, now ~~is~~ is of application of the Act to the remaining Scheduled Areas, which correspond to the former partially excluded areas.

3. Comparing the provisions of the Government of India (Excluded and Partially Excluded Area) Order, 1936 and the Scheduled Areas (Part A) States) Order, 1950, it will be seen that -

(1) the Shahada, Wandurbar and Taloda talukas of the West Khandesh District; and

(2) the Dohad taluka and the Jhalod Mahal of the Panch Mahals District

which were formerly partially excluded areas have not been declared as Scheduled Areas. The proposed regulation can, therefore, be applied to all the Scheduled Areas except these two areas.

4. A requisite draft Regulation is sent herewith. The Act is made applicable to all the Scheduled Areas other than those to which it already applies in view of the

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position stated in para. 2 . As required by sub-para. (4) of para. 5 of the Fifth Schedule to the Constitution the Regulation will have to be submitted to the President for his assent.

5. To apply the Act to the two areas specified in para. 3 it will be necessary to undertake legislation.

Id/-J R.D. 6/10.
Additional Secretary to Government.

U.R. to E.D. No. 14163, dated the 9th October 1950.

BKS. 5/7/ 4c.

No. SSC 1350 E 12240,
Education Department.
Bombay Castle, 6th April 1951.

From

The Secretary to the Government of Bombay,
Education Department.

To

The Secretary to the Government of India,
Ministry of Home Affairs,
New Delhi.

Subject :- Bombay Secondary School Certificate
Examination, Act, 1948.

Regulation for application of -
to certain Scheduled Areas
in the Bombay State.

Sir,

I am directed to forward herewith for being presented to the Honourable the President an authentic copy with five spare copies of the Bombay Secondary School Certificate Examination Act (Application to Scheduled Areas) Regulation, 1951, made by His Excellency the Governor of Bombay under sub-paragraph (2) of paragraph 5 of the Fifth Schedule to the Constitution of India and to request you to be so good as to obtain the assent of the Honourable the President as required under sub-paragraph (4) of paragraph 5 of the said Schedule and communicate the same to this Government at an early date.

Yours faithfully ,

(P.R.NAYAK).
Secretary to the Government of Bombay,
Education Department.

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Copies to :-

The Secretary to the Governor of Bombay,
The Legal Department.

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